

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEROY HAYES,

Plaintiff,

-against-

CITY OF NEW YORK; MARTIN HORN;
CAROLYN THOMAS; WARDENS MICHAEL
HOURIHANE, WILLIAM THOMAS, ROBERT
SHAW AND FRANK SQUILLANTE;
ASSISTANT DEPUTY WARDEN JOHN
MURDOCH; CAPTAINS EDWIN CABAN,
NELSON AND SPEARS; OFFICERS ROBERT
ANTHONY, CHAPMAN, DAVIS, LYNCH,
RAVEN, JOSE RIVERA, RODRIGUEZ, JOHN
DOES 1 AND 2 AND JANE DOE; ESU
CAPTAIN DOES 1 AND 2; ESU OFFICERS
GATTO AND VALENTIN; AND ESU OFFICER
DOES 1-18,

Defendants.

AFFIDAVIT OF SERVICE

07 Civ. 9807

I John Clancy, being duly sworn, depose and say that I am over the age of eighteen years, not a party to this action, and am in the employ of Hughes Hubbard & Reed, LLP.

That on November 29, 2007 at 11:50 am, deponent served true copies of the **SUMMONS IN A CIVIL CASE, COMPLAINT, INDIVIDUAL RULES OF THE HONORABLE ALVIN K. HELLERSTEIN, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK, PROCEDURES FOR ELECTRONIC CASE FILING, 3RD AMENDED INSTRUCTIONS FOR FILING ELECTRONIC CASE OR APPEAL, PRESS RELEASE OF JUNE 1, 2004, STANDING ORDER OF DECEMBER 18, 2002** by hand upon:

Warden Robert Shaw
Department of Corrections
60 Hudson Street
New York, New York, 10013

By personally leaving true copies to and leaving them with Officer Bartley who stated that she was authorized to accept service on behalf of Warden Robert Shaw.

Officer Bartley can be described as a black female, approximately 30 years of age, approximately 5'6" and 145 pounds with black hair.



John R. Clancy

Sworn to before me this
3rd day of December 2007



Patricia E. Smith

Notary Public

PATRICIA E. SMITH
Notary Public, State of New York
No. 1SM4796951
Qualified in Richmond County
Certificate Filed in New York County 1/
Commission Expires March 30, 20